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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/605,824	06/29/2000	Guo-Qiang Q. Wang	91436-251	7432

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SMART AND BIGGAR
438 UNIVERSITY AVENUE
SUITE 1500 BOX 111
TORONTO, ON M5G2K8
CANADA

EXAMINER

PHAN, HANH

ART UNIT	PAPER NUMBER
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2633

DATE MAILED: 03/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/605,824

Applicant(s)

WANG ET AL.



Examiner

Hanh Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Claim 4 recites the limitation "said resources comprises wavelength channels" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 2, 7, 8, and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Williams et al (U.S. Patent number 5,880,864).

Regarding claims 1, 7, and 8, referring to figures 1 and 4, Williams discloses a method of operating a data communication apparatus comprising:

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at each of a plurality of service specific transceivers (i.e., XMIT, RCVR) (Fig. 4):

receiving a plurality of input signals (i.e., DS-1, DS-2, OC-3C)(Fig. 4) from a given plurality of data communications devices operating with a given data communication protocol;

aggregating each of said received plurality of input signals to result in a given service specific electrical signal (i.e., SONET)(Fig. 4);

transmitting said given service specific electrical signal to a wavelength access controller (105)(i.e., media access controller MAC);

at said wavelength access controller (105):

receiving a plurality of service specific electrical signals from a plurality of service specific transceivers (i.e., XMIT, RCVR)(Fig. 4), at least two of said service specific transceivers operating with different data communication protocols (Fig. 1);

converting said plurality of service specific electrical signals to a corresponding plurality of service specific optical signals (i.e., wavelength channels λ_1 , λ_2 , λ_3 , λ_4)(Fig. 4);

wavelength division multiplexing said plurality of service specific optical signals to result in a wavelength division multiplexed signal (Fig. 4, col. 10, lines 9-13); and

transmitting said wavelength division multiplexed signal over an optical conductor (104)(i.e., optical fiber) to an element of an optical transport network (col. 6, lines 52-67, col. 7, lines 1-9, and col. 10, lines 1-53).

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Regarding claim 2, Williams discloses the wavelength access controller (105), classifying each of said plurality of service specific electrical signals (col. 6, lines 52-63).

Regarding claims 10-12, referring to figures 1 and 4, Williams discloses a method of operating a data communication apparatus comprising:

at a wavelength access controller (105)(Fig. 4):

receiving a wavelength division multiplexed signal over an optical conductor (104) from an element of an optical transport network;

wavelength division (404)(Fig. 4) de-multiplexing said wavelength division multiplexed signal to result in a plurality of service specific optical signals;

converting (403)(Fig. 4) said plurality of service specific optical signals to a corresponding plurality of service specific electrical signals;

determining which of a plurality of service specific transceivers correspond to each of said plurality of service specific electrical signals (Fig. 4);

transmitting each of said plurality of service specific electrical signals to a determined corresponding service specific transceiver (Fig. 4);

at each of said plurality of service specific transceivers (XMIT, RCVR):

receiving a given service specific electrical signal from said wavelength access controller (105)(Fig. 4);

segmenting said given service specific electrical signal to result in a plurality of output signals; and

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transmitting each of said plurality of output signals to a corresponding data communications device (col. 6, lines 52-67, col. 7, lines 1-9, and col. 10, lines 1-53) .

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3-6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al (U.S. Patent number 5,880,864) in view of Muller et al (U.S. Patent number 6,128,666).

Regarding claims 3 and 9, Williams differs from claims 3 and 9 in that he does not specifically teach disclosing maintaining at the wavelength access controller a database of information relating to resources in said optical transport network. However, Muller teaches maintaining at the media access controller a database of information relating to resources in the transport network (Fig. 3, col. 5, lines 30-67, col. 6, lines 1-34). One skilled in the art would have recognized that providing maintaining at the wavelength access controller a database of information relating to resources in said optical transport network have the advantage of allowing a service network node can search and retrieve the information for providing the resources in the optical transport network. Therefore, it would have been obvious to one of ordinary skill in the

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art at the time the invention was made to incorporate the maintaining at the media access controller a database of information relating to resources in the transport network as taught by Muller in the system of Williams in order to allow a service network node can search and retrieve the informations for providing the resources in the optical transport network.

Regarding claim 4, the combination of Williams and Muller discloses the resources comprise wavelength channels between elements in said optical transport network (Fig. 4 of Williams).

Regarding claim 5, the combination of Williams and Muller discloses further comprising:
receiving a connection request from one of said plurality of service specific transceivers;
determining, based on said information in said database, a path through said transport network corresponding to said connection request; and

instructing said element of said optical transport network to set up said determined path through said transport network (Fig. 4 of Williams, col. 6, lines 52-63, col. 10, lines 54-67, col. 14, lines 1-11, and Fig. 3 of Muller, col. 5, lines 30-67, col. 6, lines 1-34).

Regarding claim 6, the combination of Williams and Muller discloses before the converting, including header information in each of said plurality of service specific electrical signals (Fig. 3 of Muller, col. 5, lines 30-67, col. 6, lines 1-34).

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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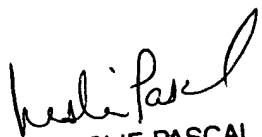
Malek et al (U.S. Patent number 6,253,207) teaches method for transporting multimedia information over network.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Phan whose telephone number is (703)306-5840.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan, can be reached on (703)305-4729. The fax phone number for the organization where this application or proceeding is assigned is (703)872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-4700.


LESLIE PASCAL
PRIMARY EXAMINER